

Message Text

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SUBJECT: DEPUTY MINISTER SEMENOV'S STATEMENT OF APRIL 4, 1975
(SALT TWO-594)

THE FOLLOWING IS STATEMENT DELIVERED BY DEPUTY MINISTER
SEMENOV AT THE SALT TWO MEETING OF APRIL 4, 1975.

QUOTE

SEMENOV STATEMENT, APRIL 4, 1975

TODAY THE USSR DELEGATION INTENDS TO ADDRESS THE PROVISIONS
OF ARTICLES XVII AND XIX OF THE SOVIET DRAFT, AGREEMENT ON
WHICH IS OF IMPORTANCE IN TERMS OF PREPARING A JOINT TEXT
FOR THE DRAFT OF THE NEW AGREEMENT.

I

IN THE COURSE OF THE NEGOTIATIONS THE USSR DELEGATIONS HAS
REPEATEDLY EMPHASIZED THAT IT WAS NECESSARY TO ENSURE THE
EFFECTIVENESS AND VIABILITY OF THE LIMITATIONS WHICH WILL
BE ESTABLISHED UNDER THE AGREEMENT TO BE CONCLUDED FOR THE
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PERIOD UNTIL THE END OF 1985. THERE IS NO DOUBT ABOUT THE IM-

PORTANCE OF THE MEASURES AIMED AT ENHANCING THE DURABILITY AND EFFECTIVENESS OF THE NEW AGREEMENT. THIS IMPORTANCE ENSUES FROM THE NATURE OF THE OBJECTIVES AND TASKS OF THE ONGOING NEGOTIATIONS. IN THESE TERMS, ACHIEVING MUTUALLY ACCEPTABLE SOLUTIONS WOULD UNDOUBTEDLY BE IN THE INTERESTS OF BOTH SIDES.

THE SOVIET DRAFT PROVIDES FOR A NUMBER OF SPECIFIC MEASURES SIMED AT PREVENTING THE POSSIBILITY OF CIRCUMVENTING OR WEAKENING THE MUTUAL OBLIGATIONS OF THE SIDES. WE HAVE ALREADY CITED DETAILED RATIONALE FOR THE CORRESPONDING PROVISIONS AND BELIEVE IT NECESSARY TO INCLUDE THEM IN THE TEXT OF THE JOINT DRAFT DOCUMENT BEING WORKED OUT.

AN IMPORTANT PLACE AMONG THE PROVISIONS AIMED AT ACHIEVING THIS GOAL IS HELD BY THE PROVISION THAT THE SIDES NOT ASSUME ANY KIND OF INTERNATIONAL OBLIGATIONS WHICH ARE IN CONFLICT WITH THEIR OBLIGATIONS UNDER THIS AGREEMENT. INCLUSION OF A PROVISION ON THIS SCORE IN THE TEXT OF THE AGREEMENT IS IN ACCORD WITH THE INTERNATIONAL LEGAL PRACTICE USED IN CONCLUDING INTERGOVERNMENTAL AGREEMENTS, PARTICULARLY OF SUCH SWEEP AND IMPORTANCE AS THOSE OF THE NEW AGREEMENT FOR THE PERIOD UNTIL THE END OF 1985, BEING PREPARED ON THE BASIS OF THE VLADIVOSTOK UNDERSTANDING. THIS IS CONSISTENT WITH THE SIGNIFICANCE OF THE SUBJECT MATTER OF THE AGREEMENT, BOTH IN TERMS OF OUT BILATERAL RELATIONS AND IN TERMS OF GENERAL INTERNATIONAL SECURITY.

I WOULD REMIND YOU THAT WHEN WORKING OUT THE ABM TREATY THE SIDES AGREED UPON AND INCLUDED THEREIN A PROVISION CONCERNING THE OBLIGATION BY THE SIDES NOT TO ASSUME ANY INTERNATIONAL OBLIGATIONS THAT WOULD BE IN CONFLICT WITH THE TREATY. THIS PROVISION IS CONTAINED IN ARTICLE X OF THAT TREATY. THE EXPERIENCE OF THE OPERATION OF THAT AGREEMENT DEMONSTRATES THE VALIDITY OF THE SOLUTION TO THIS QUESTION, FOUND AT THAT TIME. NOW OUR NEGOTIATIONS CONCERN MORE HIGHLY DEVELOPED AND MORE VARIED ARMAMENTS; MOREOVER, THE MAJORITY OF THE STATES OF THE WORLD RECOGNIZE THE DANGER OF SUCH ACTIONS, AS DEMONSTRATED, IN PARTICULAR, BY THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS.

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THE UNDERTAKING BY EACH SIDE NOT TO ASSUME ANY INTERNATIONAL OBLIGATIONS THAT WOULD BE IN CONFLICT WITH THE NEW AGREEMENT ON THE LIMITATION OF STRATEGIC OFFENSIVE ARMS FOR THE PERIOD UNTIL THE END OF 1985, IS CALLED UPON TO BE A SUBSTANTIAL FACTOR IN ENHANCING THE EFFECTIVENESS AND VIABILITY OF THE NEW AGREEMENT, AND ALSO A SUBSTANTIAL CONTRIBUTION TO THE IMPLEMENTATION OF THAT COURSE TOWARD DEVELOPING AND STRENGTHENING

PEACEFUL RELATIONS BETWEEN OUR STATES, WHICH WAS CHARTED IN THE JOINT DECISIONS OF PRINCIPLE AND IN THE FUNDAMENTAL TREATIES AND AGREEMENTS ADOPTED IN RECENT YEARS.

THE CORRESPONDING PROVISION IS CONTAINED IN ARTICLE XVII OF THE SOVIET DRAFT.

THE USSR DELEGATION WOULD NATURALLY BE INTERESTED IN HEARING THE CONSIDERATIONS OF THE U.S. SIDE ON THE QUESTIONS WE HAVE TOUCHED UPON.

II

THE JOINING DRAFT BEING PREPARED FOR THE NEW AGREEMENT ON THE LIMITATION OF STRATEGIC OFFENSIVE ARMS MUST UNDOUBTEDLY CONTAIN PRECISE AND LEGALLY ADEQUATE PROVISIONS GOVERNING THE PROCEDURE FOR ENTRY INTO FORCE OF THE AGREEMENT, AS WELL AS PROVISIONS SPECIFYING THE PERIOD OF TIME COVERED BY THE AGREEMENT.

TO THIS END THE SOVIET DRAFT INCLUDES CORRESPONDING PROVISIONS ON THESE MATTERS, WHICH FORM THE CONTENT OF ARTICLE XIX.

ARTICLE XIX, PARAGRAPH 1, SPECIFIES THAT THE NEW AGREEMENT WILL BE SUBJECT TO APPROVAL IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES OF EACH SIDE. THIS PROVISION IN A GENERALIZED FORM COVERS THE CONSTITUTIONAL PROCEDURES OF EACH SIDE. IF OUR UNDERSTANDING IS CORRECT, THIS PROVISION IS ACCEPTABLE TO BOTH SIDES.

IT IS ALSO RECORDED IN ARTICLE XIX, PARAGRAPH 1, OF THE SOVIET DRAFT THAT THE AGREEMENT WILL ENTER INTO FORCE ON THE DAY OF THE EXCHANGE OF APPROVAL DOCUMENTS BETWEEN THE SIDES.

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THIS WORDING IS CONSISTENT WITH THE GENERALLY ACCEPTED PRACTICE OF INTERNATIONAL LAW, IN ACCORDANCE WITH WHICH AGREEMENTS MUST CONTAIN A PRECISE SPECIFICATION OF THE DATE OF THEIR ENTRY INTO FORCE.

CONSISTENT WITH THE AIDE-MEMOIRE OF DECEMBER 10, 1974, ARTICLE XIX, PARAGRAPH 1, ALSO SPECIFIES THAT THE NEW AGREEMENT WILL COVER THE PERIOD FROM OCTOBER 3, 1977 TO DECEMBER 31, 1985. SPECIFYING THIS IN THE ARTICLE CONTAINING PROVISIONS ON ENTRY INTO FORCE OF THE NEW AGREEMENT MEETS THE REQUIREMENT THAT THE DOCUMENT BE CLEAR.

WE NOTE THAT ARTICLE XIV OF THE U.S. DRAFT ALSO SPECIFIES THAT THE NEW AGREEMENT WILL REMAIN IN FORCE UNTIL DECEMBER 31, 1985. HOWEVER, IT DOES NOT INDICATE THE PERIOD OF TIME

WHICH WILL BE COVERED BY THE NEW AGREEMENT. WE WOULD BE PREPARED TO LISTEN TO A CLARIFICATION OF THE U.S. POSITION ON THIS SCORE.

THE U.S. DRAFT PROVIDES FOR AN ARTICLE XV WHICH IS INTENDED TO INCORPORATE PROVISIONS ON THE PROCEDURE FOR ENTRY INTO FORCE OF THE AGREEMENT. TAKING INTO ACCOUNT THE COINCIDENCE OF THE POSITIONS WITH RESPECT TO THE NECESSITY OF INCLUDING SUCH PROVISIONS IN THE JOINT TEXT OF THE DRAFT BEING WORKED OUT, THESE QUESTIONS COULD BE TURNED OVER TO THE WORKING GROUP PREPARING THE TEXT OF THE JOINT DRAFT, IF, OF COURSE, THIS MEETS THE INTENTIONS OF THE OTHER SIDE.

III

THE SOVIET DRAFT CONTAINS A PROVISION ON THE RIGHT OF THE SIDES TO WITHDRAW FROM THE AGREEMENT AND ON THE PROCEDURE FOR DOING SO. INCORPORATION OF THIS PROVISION IN THE DRAFT AGREEMENT IS CONSISTENT WITH THE PRACTICE WIDELY USED IN CONNECTION WITH THE CONCLUSION IN RECENT DECADES OF IMPORTANT INTERNATIONAL TREATIES IN THE FIELD OF ARMS LIMITATION AND DISARMAMENT. ARTICLES WITH A SIMILAR CONTENT ARE INCLUDED IN THE SOVIET-AMERICAN STRATEGIC ARMS LIMITATION AGREEMENTS IN FORCE, AS WELL AS IN SUCH MULTILATERAL AGREEMENTS AS, FOR EXAMPLE, THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER, AND IN THE CONVENTION ON THE PROHIBITION OF BACTERIO-SECRET

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LOGICAL WEAPONS. THE CORRESPONDING FORMULATIONS OF ARTICLE XIX, PARAGRAPH 2, OF THE SOVIET DRAFT AND ARTICLE XIII OF THE U.S. DRAFT COINCIDE. WE BELIEVE THAT THIS PROVISION COULD ALSO BE TURNED OVER TO THE WORKING GROUP FOR INCORPORATION IN THE JOINT DRAFT TEXT BEING WORKED OUT. UNQUOTE JOHNSON

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